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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/049,591	05/08/2002	Michael T. Andersen	4925-206PUS	9704

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EXAMINER

LE, DANH C

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/049,591

Applicant(s)

ANDERSEN, MICHAEL T.

Examiner

DANH C LE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 May 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. An application in which the benefits of an earlier application are desired must contain a specific reference to the prior application(s) in the first sentence of the specification or in an application data sheet (37 CFR 1.78(a)(2) and (a)(5)). The specific reference to any prior nonprovisional application must include the relationship (i.e., continuation, divisional, or continuation-in-part) between the applications except when the reference is to a prior application of a CPA assigned the same application number.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 2/13/02 (paper # 4) has been considered by the examiner and made of record in the application file.

Specification

3. The disclosure is objected to because of the following informalities:

On page 8, line 17, replace "2" with -6—after "SMAP" in order to match the reference number in figure 1; and

On page 10, line 18, replace "2" with -6—after "SMAP" in order to match the reference number in figure 1.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1, 2, 4-8, 10-11, 14, 16, 17, 20, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Floden (US 6,230,002 B1) in view of Olsson (US 5,915,222).**

As to claim 1, Floden teaches a services management method for managing subscriber services in an Packet Data Network, in which a subscriber (wireless communication 12 manages his own services by utilizes the processing capacity of the SIM 26 in authentication procedures to permit communications between the wireless host 22 and a host site 14 of the private network 16) or service provider can manage his own services (figure 1, 16), comprising the steps of:

assigning an access code to a subscriber by which the subscriber is allowed to get access to services or to service management via another network (col.8, line 61-col.9, line 9);

generating SMS data messages which indicating access code (col.8, line 61-col.9, line 9).

transmitting said data message via a corresponding data channel of said network to a terminal of said subscriber (col.8, line 61-col.9, line 9).

Floden fails to teach encapsulating data message and the packet data network is Intelligent Network. Olsson teaches encapsulating data message and the packet data network is Intelligent Network (col.5, lines 25-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Olsson into the system of Floden in order to provide the necessary IN service to its associated subscribers as suggested by Olsson (col.5, lines 25-40).

As to claim 2, Floden teaches the services management method according to claim 1, wherein said access code comprises a password (col.8, line 61-col.9, line 9).

As to claim 4, Floden teaches the services management method according to claim 1, wherein said data message is a Short Message Service message (col.8, line 61-col.9, line 9).

As to claim 5, the combination of Floden and Olsson teaches the services management method according to claim 1, Olsson further teaches said data message is an Unstructured Supplementary Service Data message (unstructured data, col.3, lines 42-57). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Olsson into the system of Floden in order to communicate text messages back and forth without establishing a speech connection as suggested by Olsson (col.3, lines 42-57).

As to claim 6, Floden teaches the services management method according to claim 1, further comprising the step of detecting said access code in said terminal of said subscriber (col.3, lines 42-65, a password generation application 66 is executed at

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the SIM to store the password at a storage location of a SIM after receiving the SMS message transmitting from the authentication server).

As to claim 7, Floden teaches a services management device for managing subscriber services in an Packet Data Network in which a subscriber (wireless communication 12 manages his own services by utilizes the processing capacity of the SIM 26 in authentication procedures to permit communications between the wireless host 22 and a host site 14 of the private network 16) or service provider can manage his own services (figure 1, 16), comprising:

an access granting means for assigning an access code to a subscriber by which the subscriber is followed to get access to services or to service management via another network (col.8, line 61-col.9, line 9);

generating SMS data messages which indicating access code (col.8, line 61-col.9, line 9).

a transmitting means for transmitting said data message via a corresponding data channel of said network to a terminal of said subscriber (col.8, line 61-col.9, line 9).

Floden fails to teach encapsulating data message and the packet data network is Intelligent Network. Olsson teaches encapsulating data message and the packet data network is Intelligent Network (col.5, lines 25-40). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Olsson into the system of Floden in order to provide the necessary IN service to its associated subscribers as suggested by Olsson (col.5, lines 25-40).

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As to claim 8, Floden teaches the services management device according to claim wherein said access code comprises a password (col.8, line 61-col.9, line 9).

As to claim 10, Floden teaches the services management device according to claim 7, wherein said data message is a Short Message Service message (col.8, line 61-col.9, line 9).

As to claim 11, the combination of Floden and Olsson teaches the services management method according to claim 7, Olsson further teaches said data message is an Unstructured Supplementary Service Data message (unstructured data, col.3, lines 42-57). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Olsson into the system of Floden in order to communicate text messages back and forth without establishing a speech connection as suggested by Olsson (col.3, lines 15-53).

As to claim 14, Floden teaches the services management method according to claim 2, further comprising the step of detecting said access code in said terminal of said subscriber col.8, line 61-col.9, line 9, password generation application 66).

As to claim 16, Floden teaches the services management method according to claim 4, further comprising the step of detecting (S5) said access code in said terminal of said subscriber (col.3, lines 42-65, a password generation application 66 is executed at the SIM to store the password at a storage location of a SIM after receiving the SMS message transmitting from the authentication server).

As to claim 17, Floden teaches the services management method according to claim 5, further comprising the step of detecting said access code in said terminal of said subscriber (col.3, lines 42-65, a password generation application 66 is executed at the SIM to store the password at a storage location of a SIM after receiving the SMS message transmitting from the authentication server).

As to claim 20, Floden teaches subscriber terminal which is adapted to receive data messages transmitted by a services management device according to claim 10, further comprising a detecting means for detecting said access code (col.3, lines 42-65, a password generation application 66 is executed at the SIM to store the password at a storage location of a SIM after receiving the SMS message transmitting from the authentication server).

As to claim 21, Floden teaches subscriber terminal which is adapted to receive data messages transmitted by a services management device according to claim 11, further comprising a detecting means for detecting said access code (col.3, lines 42-65, a password generation application 66 is executed at the SIM to store the password at a storage location of a SIM after receiving the SMS message transmitting from the authentication server).

6. **Claims 3, 9, 13, 15, 18, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Floden and Olsson, and further in view of Miller (US 6,141,563).**

As to claim 3, the combination of Floden and Olsson teaches the services management method according to claim 1, the combination of Floden and Olsson

fails to teach said access code comprises a subscriber identification number. Miller teaches said access code comprises a subscriber identification number (col.1, lines 20-25). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Miller into the system of Floden and Olsson in order to assign the international mobile subscriber identifier number in European cellular communication system as Miller suggested (col.1, lines 20-25).

As to claim 9, the limitation of the claim is the same limitation of claim 3; therefore, the claim is interpreted and rejected as set forth in claim 3.

As to claim 13, the limitation of the claim is the same limitation of claim 3; therefore, the claim is interpreted and rejected as set forth in claim 3.

As to claim 15, Floden teaches the services management method according to claim 3, further comprising the step of detecting said access code in said terminal of said subscriber (col.3, lines 42-65, a password generation application 66 is executed at the SIM to store the password at a storage location of a SIM after receiving the SMS message transmitting from the authentication server).

As to claim 18, the limitation of the claim is the same limitation of claim 3; therefore, the claim is interpreted and rejected as set forth in claim 3.

As to claim 19, Floden teaches subscriber terminal which is adapted to receive data messages transmitted by a services management device according to claim 9, further comprising a detecting means for detecting said access code (col.3, lines 42-65, a password generation application 66 is executed at the SIM to store the

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password at a storage location of a SIM after receiving the SMS message transmitting from the authentication server).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Lipsit (US 5,956,636) teaches method and system for automatic activation of a wireless device.

B. Alperovich et al (US 6,119,014) teaches system and method for displaying short messages depending upon location, priority and user defined indicators.

C. Dusse (US 2002/0068554) teaches method and system facilitating web based provisioning of two-way mobile communication devices.

D. Le et al (US 6,556,820) teaches mobility management for terminal with multiple subscription.

E. Mills (US 5,915,225) teaches remotely retrieving SIM stored data over a connection less communications link.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C LE whose telephone number is 703-306-0542. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "danh", with a stylized flourish extending from the top right.

August 21, 2004

DANH CONG LE
PATENT EXAMINER